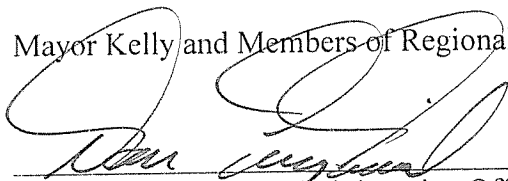


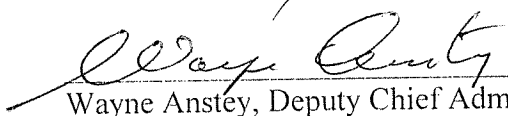
10.1.5

**HALIFAX** PO Box 1749  
Halifax, Nova Scotia  
REGIONAL MUNICIPALITY B3J3A5 Canada

**Halifax Regional Council**  
**September 12, 2006**

To: Mayor Kelly and Members of Regional Council

Submitted by:   
Dan English, Chief Administrative Officer

  
Wayne Anstey, Deputy Chief Administrative Officer - Operations

Date: September 1, 2006

Subject: **Case 00870 - MPS and LUB Amendment - 5784 Charles Street, Halifax**

### **ORIGIN**

Request by Studioworks International Inc., on behalf of Dave's Bottle Exchange Ltd., to amend the Halifax Municipal Planning Strategy and Land Use Bylaw to permit a multiple-unit residential building at 5784 Charles Street, Halifax.

### **RECOMMENDATION**

**It is recommended that Halifax Regional Council:**

1. Authorize staff to initiate a process to consider amending the Halifax Municipal Planning Strategy and Peninsula Land Use Bylaw to allow for a multiple-unit residential building at 5784 Charles Street, Halifax (PIDs 00151431, 00151449, 00151662 and 00151670); and
2. Instruct that the Municipal Planning Strategy amendment process include a public participation program in accordance with the Public Participation Resolution adopted by Halifax Regional Council on February 25, 1997.

## **BACKGROUND**

**Location, Designation and Zoning:** The site is located at the northern end of the block bounded by Agricola, Charles, John and West Streets, Halifax (see Maps 1 and 2). The site is approximately 7,400 square feet in area and comprises four separate parcels (PIDs # 00151431, 00151449, 00151662 and 00151670). The first three parcels are designated for Major Commercial development on the Generalized Future Land Use Map of the MPS and are zoned C-2 (General Business). The fourth parcel (PID # 00151670), at the intersection of Charles and John Streets, is designated for Medium Density Residential development and is zoned R-2 (Two Family Dwelling). The Height Precinct (limitation) in the LUB is 50 feet for the C-2 zoned parcels and 35 feet for the R-2 zoned parcel.

**Synopsis of Proposed Development:** The applicant wishes to demolish the existing building, consolidate all four properties and construct a multiple-unit residential building containing 16 dwelling units (see Attachments A through C). The existing business would be relocated to another site in HRM.

**History of the Property:** The site has been operated as a bottle exchange and transport facility since 1970. The facility was also licensed as an Enviro-Depot (through the Resource Recovery Fund Board) from the mid-1990s until mid-2003. Although the facility still operates as a bottle exchange, its main focus is on the off-site transportation (trucking) of bottles, primarily for the Nova Scotia Liquor Corporation.

## **DISCUSSION**

The four parcels comprising the site have been under the same ownership for many years. However, a comprehensive redevelopment of the site may be prohibitive due to the mixture of zoning. The C-2 zone, which encompasses approximately two-thirds of the site, permits multiple-unit dwellings, while the R-2 zoned parcel does not.

Although the proposal does not entirely meet some of the Land Use By-law requirements such as building setbacks (angle controls) and parking, the proposed building height will be lower than that permitted in the C-2 zoned portion of the site (50 feet). In this circumstance, considering a MPS amendment for this use seems appropriate, provided the building scale and design is in keeping with the surrounding R-2 zoned development and the project is of benefit to the surrounding neighborhood. This may be best accomplished through the development agreement process.

The applicant has prepared a conceptual design which they have presented to some residents in the immediate area. Staff have been contacted by neighborhood residents who are in favour of the proposal.

Staff feel that there is merit in proceeding with the MPS amendment process. Design details can be discussed at a future public meeting should Council concur with the recommendations of this report.

### **BUDGET IMPLICATIONS**

None

### **FINANCIAL MANAGEMENT POLICIES/BUSINESS PLAN**

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating Reserves, as well as any relevant legislation.

### **ALTERNATIVES**

1. Council may choose to initiate amendments to the Halifax Municipal Planning Strategy and Peninsula Land Use Bylaw. This is the staff recommendation.
2. Council may choose not to initiate amendments to the Halifax Municipal Planning Strategy and Peninsula Land Use Bylaw. This is not recommended for the reasons outlined above.

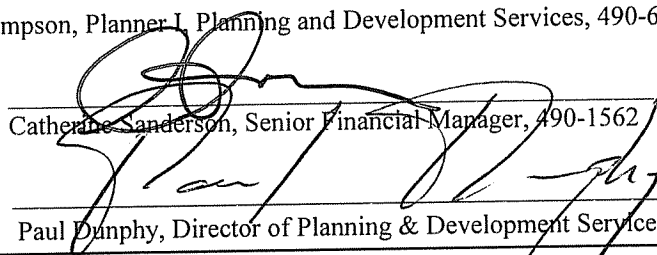
### **ATTACHMENTS**

Map 1	Location and Zoning
Map 2	Generalized Future Land Use
Attachment A	Charles Street Elevation
Attachment B	Agricola/ John Street Elevations
Attachment C	Rear (South) Elevation

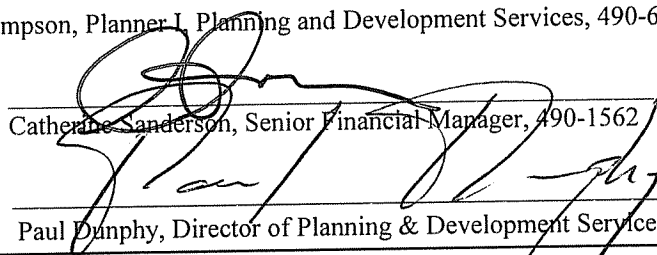
A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> by choosing the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

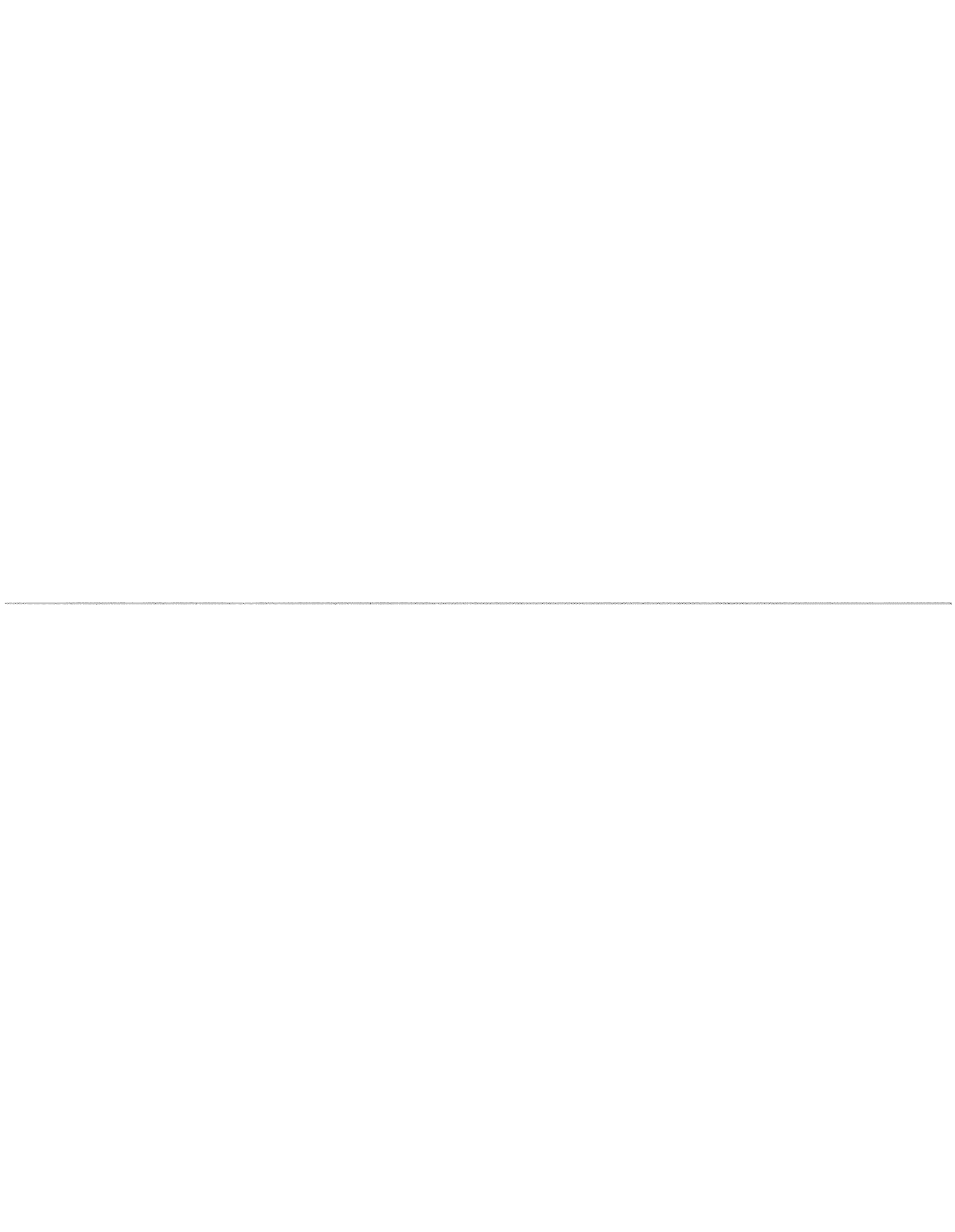
Report Prepared by: Paul Sampson, Planner I, Planning and Development Services, 490-6259

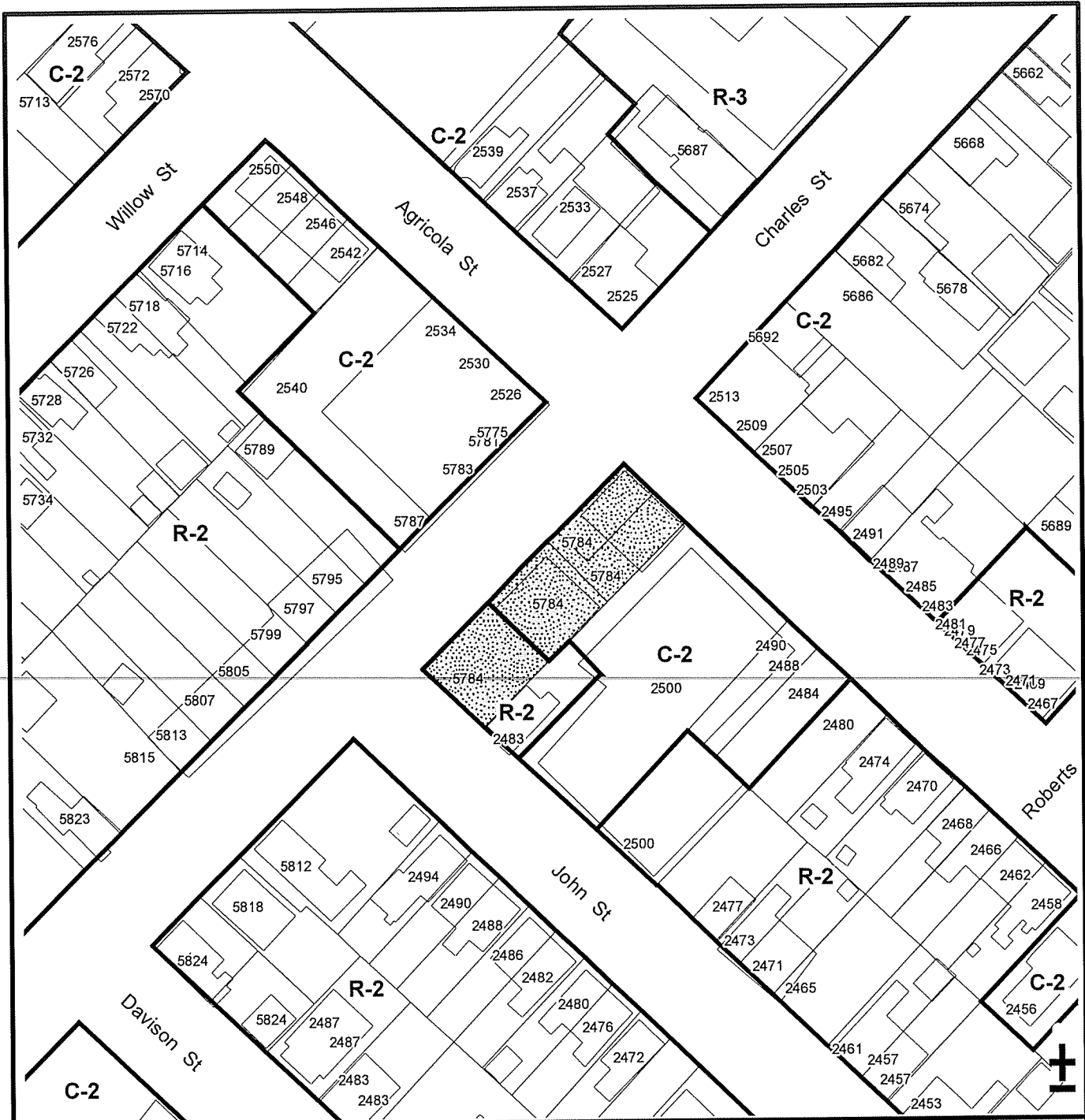
Report Reviewed by:

  
Catherine Sanderson, Senior Financial Manager, 490-1562

Report Approved by:

  
Paul Dunphy, Director of Planning & Development Services






Map 1: Location and Zoning

5784 Charles Street  
Halifax

Halifax Peninsula By-Law Area

 Subject property

**Zone**

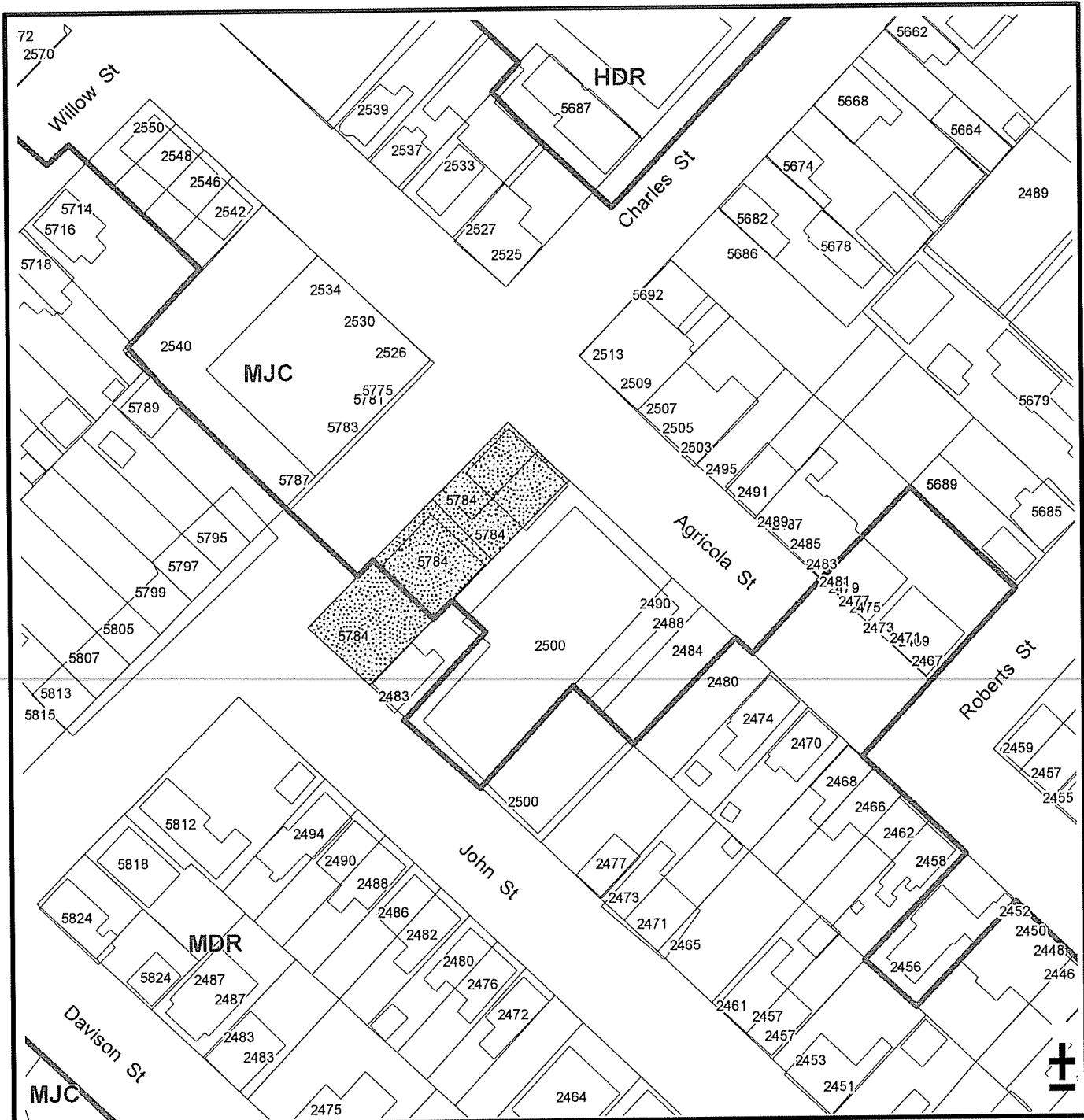
- R-2 General Residential
- R-3 Multiple Dwelling
- C-2 General Commercial

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DEVELOPMENT SERVICES




This map is an unofficial reproduction of a portion of the Zoning Map for the Halifax Peninsula By-Law Area.

HRM does not guarantee the accuracy of any representation on this plan.



Map 2 - Generalized Future Land Use

 Subject property

5784 Charles Street  
Halifax

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PLANNING AND  
DEVELOPMENT SERVICES



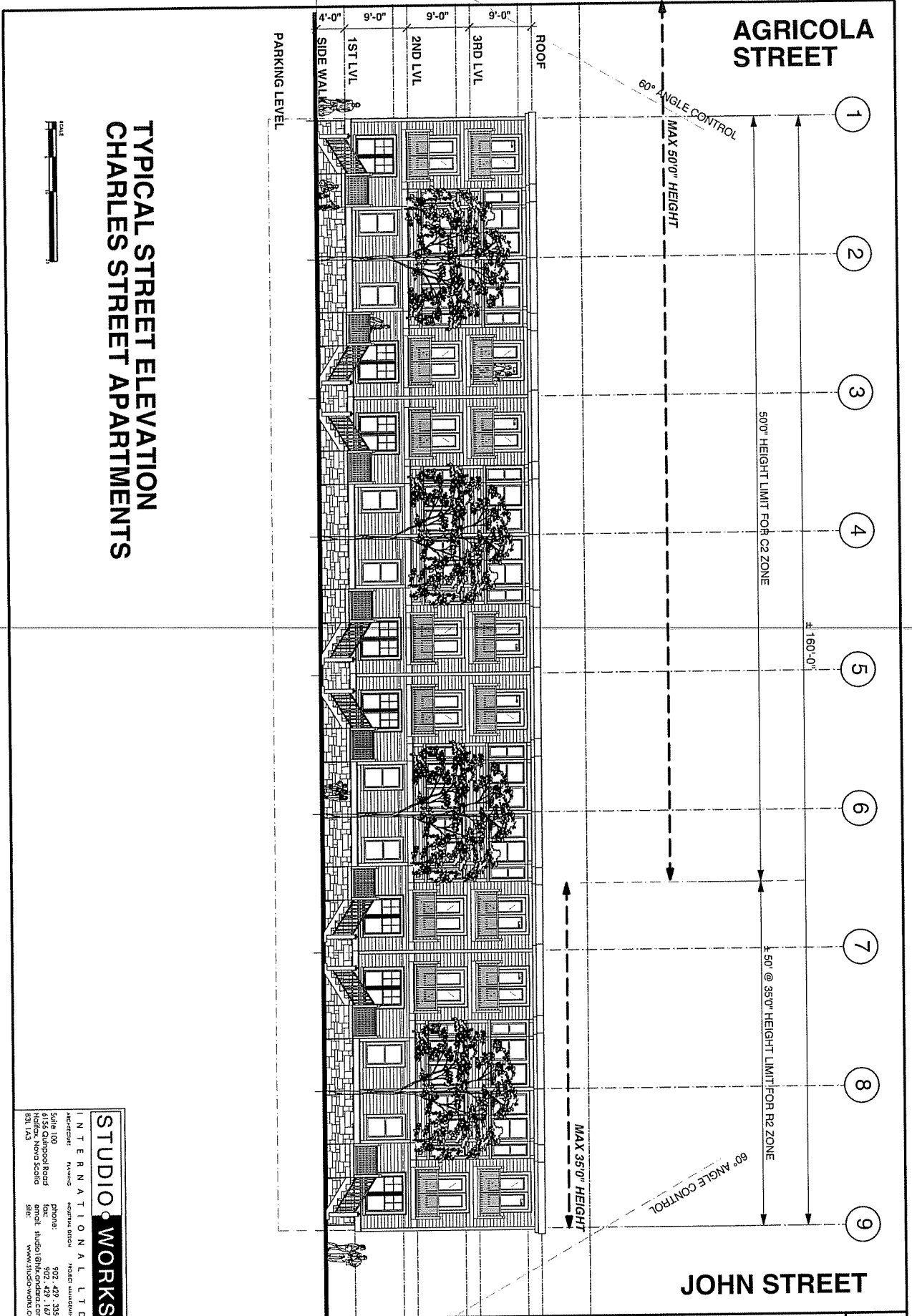
Halifax Plan Area  
Peninsula North Secondary Plan, Area 6

**Designation**

- MDR Medium Density Residential
- HDR High Density Residential
- MJC Major Commercial

This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the Halifax Plan Area.

HRM does not guarantee the accuracy of any representation on this plan.



TYPICAL STREET ELEVATION  
CHARLES STREET APARTMENTS

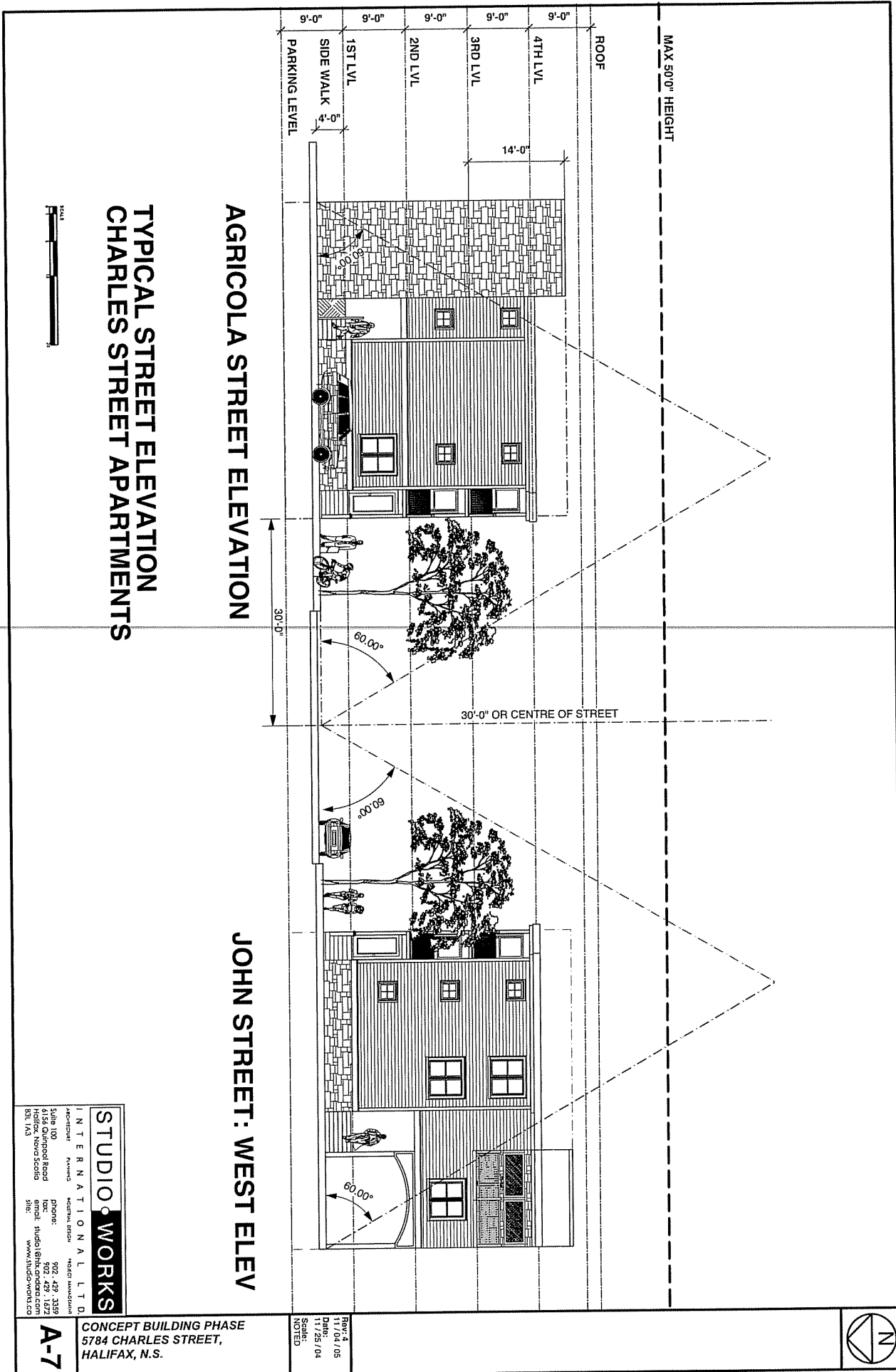
**STUDIO WORKS**  
INTERNATIONAL LTD  
Architect Planning Architectural  
Suite 100 902-429-3399  
3156 Charles Road email: studio@stworks.com  
B11 1A3 www.studio-works.com

A-6

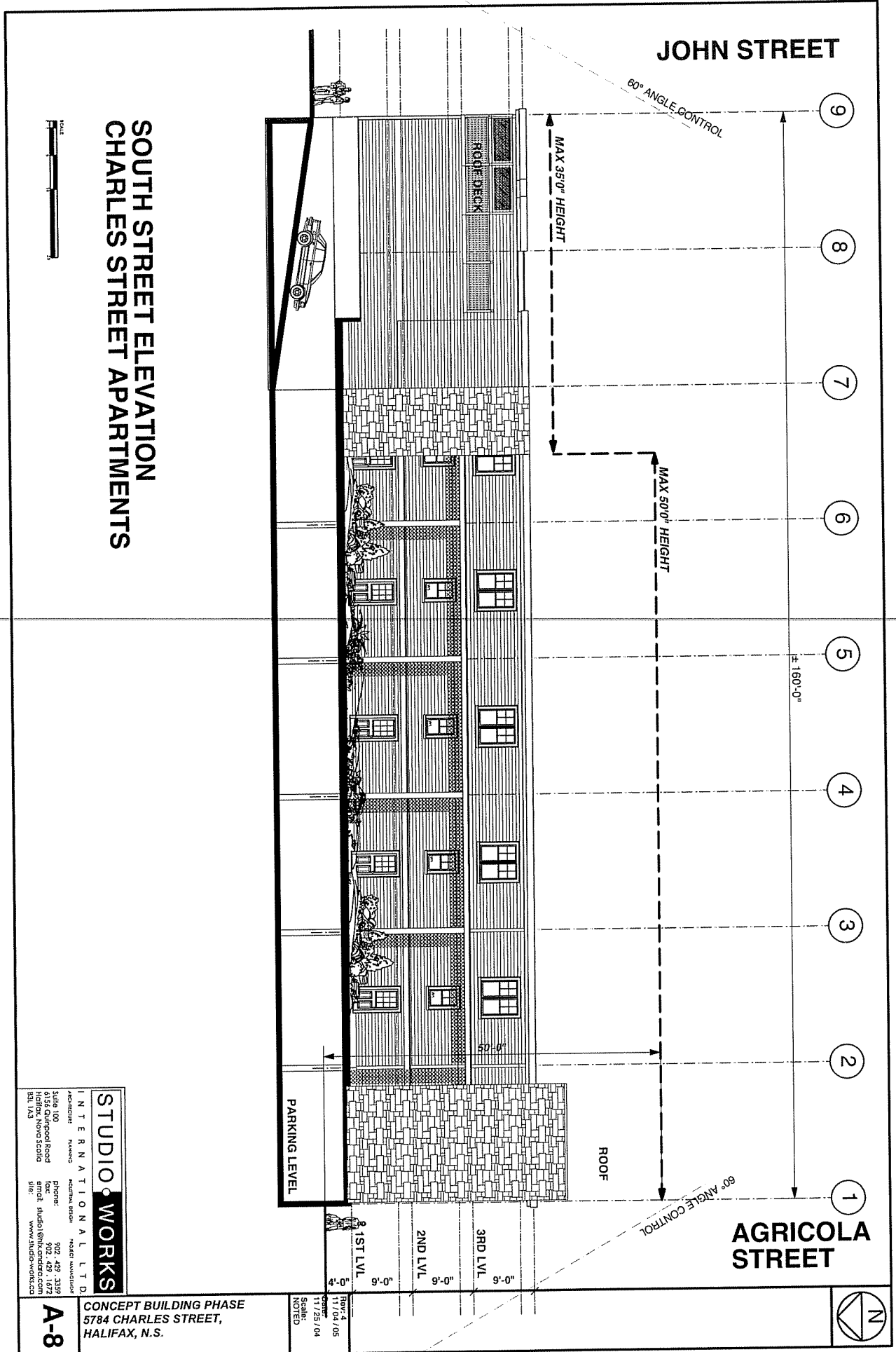
CONCEPT BUILDING PHASE  
5784 CHARLES STREET,  
HALIFAX, N.S.

FIGURE 4  
11/04/05  
Date: 11/25/04  
Scale: NOTED









**SOUTH STREET ELEVATION  
CHARLES STREET APARTMENTS**



**STUDIO WORKS**  
 INTERNATIONAL LTD  
 ARCHITECT PLANNING  
 4155 Guilford Road  
 Suite 100  
 Halifax, NS B3L 1A3  
 TEL: 1-902-429-3399  
 FAX: 1-902-429-3398  
 www.studioworks.com

**A-8**  
 CONCEPT BUILDING PHASE  
 5784 CHARLES STREET,  
 HALIFAX, N.S.

DATE: 11/25/04  
 SCALE: NOTED

REV: 4  
 11/04/05

1ST LVL  
 4'-0"

2ND LVL  
 9'-6"

3RD LVL  
 9'-6"

ROOF  
 50'-0"

PARKING LEVEL

± 160'-0"

MAX 35'-0" HEIGHT

MAX 50'-0" HEIGHT

60° ANGLE CONTROL

60° ANGLE CONTROL



JOHN STREET

AGRICOLA STREET

9

8

7

6

5

4

3

2

1